UNITED NATIONS

General Assembly

FORTY-SEVENTH SESSION

*Official Records*

THIRD COMMITTEE
46th meeting
held on
Monday, 23 November 1992
at 10 a.m.
New York

# SUMMARY RECORD OF THE 46th MEETING

Chairman: Mr. KRENKEL (Austria)

CONTENTS

AGENDA ITEM 97: HUMAN RIGHTS QUESTIONS

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

This record is subject to correction.
Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, Room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

92-57953 6473S (E)

Distr. GENERAL
A/C.3/47/SR.46
9 December 1992
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 10.20 a.m.

AGENDA ITEM 97: HUMAN RIGHTS QUESTIONS (A/47/60-S/23329, A/47/67, A/47/82-S/23512, A/47/84-S/23520, A/47/88-S/23563, A/47/89-S/23576, A/47/91-S/23585, A/47/122-S/23716, A/47/126, A/47/172, A/47/175, A/47/180, A/47/204-S/23887 and Corr.1, A/47/225-S/23998, A/47/256-S/24061, A/47/267, A/47/268, A/47/280, A/47/290-S/24204, A/47/296, A/47/335-S/24306, A/47/343, A/47/351-S/24357, A/47/356-S/24367, A/47/361-S/24370, A/47/366, A/47/392-S/24461, A/47/465, A/47/476, A/47/527-S/24660, A/47/569, A/47/671-S/24814)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (A/47/24 and Add.1, A/47/353, A/47/434, A/47/479, A/47/501, A/47/502, A/47/503, A/47/504, A/47/552, A/47/626, A/47/630, A/47/668, A/47/701 and A/47/702)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (A/47/367 and Add.1, A/47/418-S/24516, A/47/596, A/47/617, A/47/621, A/47/625, A/47/635-S/24766, A/47/651, A/47/656, A/47/666 and A/47/676)

1. Mr. FALL (Director of the Centre for Human Rights) said that the requirements of dialogue, understanding, solidarity, equity and justice which for some time had been manifesting themselves more strongly in the world had prompted a number of United Nations initiatives to promote human rights in various sectors.

2. The first such sector was regional arrangements for the promotion and protection of human rights. In its resolution 45/167 of 18 December 1990 the General Assembly requested the Secretary-General to continue encouraging the contacts between regional bodies and commissions and the United Nations. The report contained in document A/47/502 described the activities carried out to that end by the Centre for Human Rights in Africa, Asia and the Pacific, Europe, and the Americas. One important aspect of those activities was the organization of training seminars, courses and workshops on international human rights standards in cooperation either with regional bodies, such as the African Commission on Human and Peoples' Rights and the African Centre for Democracy and Human Rights Studies, or with Governments in parts of the world where such regional bodies did not exist, for example in Asia and the Pacific. In addition, the cooperation between the Council of Europe and the Centre with regard to assistance to the countries of Central and Eastern Europe had been strengthened. The report also contained information about the action taken by the Commission on Human Rights in furnishing assistance to Governments under the advisory services programme and in encouraging the establishment, especially in regions where they did not exist, of national and regional centres for documentation, education, training and advice with regard to human rights and democracy. In that connection the technical assistance activities financed from the United Nations Voluntary Fund for Technical

(Mr. Fall)

Cooperation in the Field of Human Rights should help to strengthen the existing national and regional institutions and encourage the establishment of more such institutions.

3. The second sector of United Nations human rights activity was information. The report of the Secretary-General (A/47/503) described the action taken by the Centre and the Department of Public Information in that field. Since the launching by the General Assembly in December 1988 of the World Public Information Campaign on Human Rights, the Centre, in cooperation with the Department of Public Information, had been continuously implementing a large range of activities, thus contributing to the emergence and development of a universal culture of human rights and fundamental freedoms. Three main aspects of those activities should be emphasized. First, the Centre published Fact Sheets, now numbering 18, each dealing with a specific issue or explaining one of the aspects of the machinery for application of international instruments. The Sheets had become one of the main means of disseminating information about human rights and the system established by the United Nations for their protection, and the Centre was planning to expand considerably the list of topics. Second, in its efforts to improve the organization and conduct of the training courses, seminars and workshops designed to educate both the public at large and specific groups, the Centre had published in 1992 a manual for schools of social work which had already been widely distributed. Furthermore, a complete series of training manuals for those involved in the administration of justice was being prepared, together with a manual on the establishment of national institutions for the promotion and protection of human rights. In addition, the Centre was currently cooperating with the United Nations Educational, Scientific and Cultural Organization (UNESCO) on the preparation of a manual on human rights teaching at university level. Third, in view of the need to coordinate its activities with those of other United Nations bodies, the Centre had prepared for its 1992 inter-agency meeting a working paper containing proposals and suggestions for enhancing inter-agency cooperation on human rights. The paper had been distributed and the proposals contained in it were now beginning to be implemented.

4. The third sector of human rights activity was the preparations for the World Conference on Human Rights. The Preparatory Committee for the Conference had made considerable progress on some items but it had not yet been able to adopt an agenda for the Conference. Intensive consultations were taking place on the subject and it was to be hoped that at its present session the General Assembly, in a spirit of consensus and flexibility, would adopt the agenda of the Conference. Furthermore, preparatory meetings had been or would be organized at the regional level. The African region preparatory meeting, held in Tunis from 2 to 6 November 1992, with the participation of a large number of States and non-governmental organizations (NGOs), had adopted by consensus the Tunis Declaration and several resolutions relating to the agenda of the World Conference. The meeting had also drawn attention to the obstacles to the promotion and protection of human rights in Africa, in

(Mr. Fall)

particular the difficulties experienced by the countries of the African continent owing to the unfavourable international economic environment and domestic tensions. Two other regional meetings were planned for the first quarter of 1993, one in Bangkok for the Asian region and the other in San José, Costa Rica, for the Latin American region. Lastly, still with regard to the preparations for the Conference, the Preparatory Committee had decided at its second session in April 1992 to invite representatives of national human rights institutions to take part in the work of the Conference as observers in order to consolidate their role as prime movers in the promotion and protection of human rights.

5. With respect to the Commission on Human Rights, he noted that its membership had grown to 53 and that more than 1,000 people, including representatives of over 120 non-governmental organizations, had taken part in the work of its forty-eighth session from 27 January to 6 March 1992. In addition, for the first time in its history, the Commission had convened in special session on 13 and 14 August 1992 in order to consider the human rights situation in the territory of the former Yugoslavia. According to resolution 1992/S-1/1 which had been adopted at that session, the Commission had appointed a Special Rapporteur to study the human rights situation in the former Yugoslavia and to submit reports both to the forty-ninth session of the Commission and to the General Assembly.

6. Both the General Assembly in resolution 41/132 and the Commission on Human Rights in resolution 1991/19 had recognized the importance of the right to own property. For that reason, pursuant to those resolutions, the Chairman of the Commission had appointed Mr. Luis Valencia Rodriguez (Ecuador) as an independent expert to study the question. The final report of Mr. Valencia Rodriguez would be considered by the Commission at its forty-ninth session in 1993.

7. The Commission had also continued its standard-setting activities. With respect to the protection of all persons from enforced disappearance, for example, at its forty-eighth session the Commission had adopted (by resolution 1992/29 of 28 February 1992) the Declaration on the Protection of All Persons from Enforced Disappearance (A/47/434). If adopted by the General Assembly at its forty-seventh session, that realistic and constructive text would be an important step forward in the struggle against the odious practice of enforced disappearance.

8. In regard to the connection between human rights and extreme poverty, on 21 February 1992 the Commission on Human Rights had adopted without a vote resolution 1992/11 in which attention was drawn to the contradiction between the existence of situations of extreme poverty and exclusion from society, which must be overcome, and the duty to guarantee full enjoyment of human rights. Further, the Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted at its forty-fourth session resolution

1992/27, by which Mr. Leandro Despouy had been appointed to study the question of human rights and extreme poverty and to submit a preliminary report on the results of his work at the Sub-Commission's forty-fifth session in 1993.

9. With respect to the right to development, he recalled that, for millions of people struggling every day to survive, that right was a quite meaningless concept. That was why the General Assembly and the Commission on Human Rights had requested the Secretary-General to put forward concrete proposals on the effective implementation and promotion of the Declaration on the Right to Development. In that connection, certain positive aspects were to be noted, such as the report of the Special Rapporteur on the realization of economic, social and cultural rights which had recommended, inter alia, that the international financial institutions and specialized agencies and bodies within the United Nations system should take those rights specifically into account as they carried out their work. That recommendation had been approved by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In addition, the Sub-Commission had at its forty-fourth session appointed a special rapporteur on the promotion of the realization of the right to adequate housing (resolution 1992/26), on extreme poverty (resolution 1992/27) and on population transfers (resolution 1992/28).

10. The question of minorities had been the subject of a new instrument, specifically, the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities, which the Commission on Human Rights had adopted by its resolution 1992/16 and which was at present before the Third Committee. In addition to enumerating the individual and collective rights of persons belonging to national or ethnic, religious and linguistic minorities, the draft declaration also included, inter alia, the right to enjoy their own culture, to profess and practise their own religion and to use their own language and to participate effectively in decision-making on issues concerning the minority to which they belonged and stipulated that States should take measures to ensure that persons belonging to minorities could exercise fully and effectively all human rights and all fundamental freedoms without any discrimination and in full equality before the law, and to encourage knowledge of the history, traditions, language and culture of minorities existing within their territory.

11. As in previous years, the Third Committee had before it reports on the situation with regard to human rights in various countries. In all, 11 countries had been investigated: Afghanistan, Cuba, El Salvador, Haiti, Iraq, the Islamic Republic of Iran, Myanmar, South Africa and the territory of the former Yugoslavia. It should be noted that the situation with regard to human rights in other countries was also the subject of investigations under special procedures. Reports on the situation with regard to human rights that had not yet been submitted to the Third Committee would be presented to the Commission on Human Rights in February 1993 or were being considered currently by the Special Political Committee, as in the case of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights

(Mr. Fall)

of the Palestinian People and Other Arabs of the Occupied Territories. It should also be noted that the Commission on Human Rights had established a total of eight thematic procedures according to which the special rapporteurs or working groups were investigating various types of human rights violations in any country. Among the special rapporteurs in question, only the Special Rapporteur on the question of mercenaries reported both to the Commission on Human Rights and to the General Assembly.

12. More and more procedures were being established by the Commission on Human Rights. For example, the Centre for Human Rights was providing the Special Committee to Investigate Israeli Practices with 3 working groups, 16 special rapporteurs, representatives and experts, and was also organizing missions to countries. During the first 11 months of 1992, missions had been sent to 20 countries, with 10 others planned before the forty-ninth session of the Commission in February 1993.

13. The number of reports on human rights situations and the recommendations contained in those reports testified to the dynamism of the institutions dealing with human rights questions and to the high quality of the work carried out by the Organization in the area of human rights. It was thus of paramount importance that sufficient human, material and financial resources should be available for those activities. Accordingly, the Secretary-General, pursuant to General Assembly resolution 46/118, had submitted his report on the strengthening of the Centre for Human Rights, which briefly described the measures taken to increase the Centre's human and financial resources, so as to make it possible for the Centre fully to execute its mandate in the desired time-frame.

14. The CHAIRMAN informed the Committee that he had received a letter from the President of the General Assembly, which would be distributed as an official document, announcing that the General Assembly had decided at its 68th plenary meeting on 20 November 1992 to allocate to the Third Committee agenda item 149 entitled "The situation of human rights in Estonia and Latvia". He therefore suggested that the Committee should consider the agenda item in question concurrently with sub-items (b) and (c) of agenda item 97. If there was no objection, he would take it that the Committee adopted that suggestion.

15. It was so decided.

The meeting rose at 10.55 a.m.